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Application No. 10/632,882

REMARKS

Claims 1 - 50 are in the case.

The applicants have studied the Office Action dated August 18, 2005 and have made the changes believed appropriate to place the application in condition for allowance. Reconsideration and reexamination are respectfully requested.

The Examiner has objected to the specification. Applicants have amended the specification in accordance with the Examiner's kind suggestion. It is therefore respectfully submitted that the objection to the specification should be withdrawn.

As set forth above the specification has been amended to overcome a minor informality rejection.. It is respectfully submitted that this amendment will not require a new search or raise new issues for consideration by the Examiner. It is submitted that this amendment places the application in better form for appeal. This amendment was not presented earlier because it was inadvertently overlooked in response to the prior Office Action. The Examiner is therefore respectfully requested to enter and consider this amendment after the final rejection.

Applicants acknowledge with thanks the indication of allowability for claims 1-45.

Claims 46-50 have been rejected under 35 USC 102(e) as being anticipated by US 2003/0217914 to Miller et al. (Miller). Claims 46, 48 and 50 have been rejected under 35 USC 102(e) as being anticipated by US 2004/0020770 to Wang et al. (Wang). Applicants respectfully disagree. However, in order to expedite prosecution, independent claim 46 has been amended. Applicants reserve the right to file a continuation application to pursue the subject matter of these claims as originally filed.

In the Examiner's statement of reasons for allowance of claims 1-45, the Examiner noted that in the Miller reference, "the electromagnetic coil is disposed below the substrate, not around the periphery." April 8, 2005 Office Action, page 7. Similarly, the Examiner has noted that the Wang reference "does not disclose the electromagnetic coil to be around the periphery of the pedestal." April 8, 2005 Office Action, page 7. As set forth above, claim 46 has been amended to recite that the recited "electromagnetic coil means" includes "electromagnetic coils disposed around the periphery of the pedestal."

It is noted that allowed method claim 1 recites "confining said plasma using a magnetic field generated by electromagnetic coils disposed around the periphery of the pedestal" It is respectfully

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submitted that these amendments will not require a new search or raise new issues for consideration by the Examiner. It is submitted that these amendments place the claims in better form for appeal. These amendments were not presented earlier because they were deemed appropriate to advance prosecution after receipt of the latest Office Action. The Examiner is therefore respectfully requested to enter and consider these amendments after the final rejection.

It is the Examiner's position that the Miller reference describes an electromagnetic coil means 258. However, it is clear from the above that the Examiner has cited no portion of the Miller reference which describes "electromagnetic coil means, including electromagnetic coils disposed around the periphery of the pedestal, for generating a magnetic field to surround said pedestal and confine said capacitively coupled plasma to increase the density of said capacitively coupled plasma adjacent said pedestal electrode" as required by claim 46.

Similarly, it is the Examiner's position that the Wang reference describes an electromagnetic coil means 130 . However, it is clear from the above that the Examiner has cited no portion of the Wang reference which describes "electromagnetic coil means, including electromagnetic coils disposed around the periphery of the pedestal, for generating a magnetic field to surround said pedestal and confine said capacitively coupled plasma to increase the density of said capacitively coupled plasma adjacent said pedestal electrode" as required by claim 46.

The rejection of the dependent claims is improper for the reasons given above. Moreover, the dependent claims include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art. It is therefore respectfully requested that the rejection of the claims be withdrawn.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response. Applicants concede that an RF pedestal may result in a capacitively coupled plasma.

In the statement of reasons for allowance the Examiner provided various reasons for allowance. Applicant notes that the claims are directed to various combinations of features. It is respectfully submitted that the patentability of each of the allowed and allowable claims resides in the combination of features recited in that claim in addition to any features noted by the Examiner.

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In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is earnestly solicited.

Respectfully submitted,



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12/19/05
(Date)